

REMARKS

Claims 1-10 and 17-20 are pending. Claims 11-16 are canceled with this response. Allowance of claims 17-20 is noted with appreciation. Reconsideration of the application in light of the above amendments and the following remarks is respectfully requested.

I. REJECTION OF CLAIMS UNDER 35 U.S.C. § 102(b)

Claims 1-2 and 4-5, and claims 1-5 and 8-10 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,299,515 (Beardsley et al.) and U.S. Patent No. 6,220,942 (Tolles et al.), respectively. Withdrawal of the rejections is respectfully requested for at least the following reasons.

Claim 1 is directed to a chemical mechanical polishing system that comprises a platen that has a first surface coupling to a polishing pad. The first surface of the platen comprises a generally circular center portion and an annular portion surrounding the center portion. ***The annular portion of the first surface has a bond strength to the polishing pad that is greater than a bond strength of the center portion of the platen to the polishing pad.*** Neither Beardsley et al. nor Tolles teach or suggest this feature.

Beardsley et al. teach a CMP apparatus wherein a platen 212 supports a polishing pad 208. The platen has recess portions (e.g., 216 and 218 in Fig. 3) therein that are employed to transfer slurry to the pad *via* a wicking action. Figs. 6-9 illustrates that the grooves associated with the platen can be varied in differing patterns. No teaching is provided in Beardsley et al. that a bond strength of the polishing pad to the platen varies in any fashion across the surface thereof, and such ***variation in bond strength is not inherent in the structure disclosed therein.*** While the configurations of Beardsley et al. could hypothetically result in some limited circumstances with different bonding strengths in the center and annular portions of the platen, such a result does not ***necessarily follow*** from the teaching of the reference, and thus Beardsley et al. do not inherently teach the above limitation. In re Oelrich, 666 F.2d

578, 581 (CCPA 1981)(*stating* “[i]nherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.”) Therefore Beardsley et al. fail to anticipate the invention of claim 1.

Tolles et al. disclose a CMP apparatus wherein a polishing pad 103 overlies a platen 102 having a patterned mat 100 attached thereto, as illustrated in Fig. 7. Alternatively, the platen itself is patterned, as illustrated in Fig. 8 and designated at reference numeral 112. Tolles et al. do not teach a bond strength between the platen surface and the polishing pad that varies spatially across the platen surface as claimed. To the extent that one could argue that differing contact surface areas may result in different bonding strengths, the ***contact surface area between the platen and the polishing pad appears to be uniform throughout the Tolles et al. reference.*** Therefore under such an interpretation the bond strength would be uniform spatially in the reference. Thus the cited art does not teach the invention of claim 1.

As stated above, neither cited reference anticipates the invention of claim 1 and its respective depending claims. Accordingly, withdrawal of the rejections is respectfully requested.

II. REJECTION OF CLAIMS UNDER 35 U.S.C. § 103(a)

Claims 3 and 6-7 were rejected under 35 U.S.C. § 103(a) as unpatentable over Beardsley et al. and Tolles et al., respectively. Withdrawal of the rejection is respectfully requested for at least the following reasons.

Claim 3 depends upon claim 1 and, as highlighted above, claim 1 is not taught by Beardsley et al. Therefore claim 3 is patentable over the cited reference for at least the same reason.

Claims 6-7 depend upon claim 1 and, as highlighted above, claim 1 is not taught by Tolles et al. Therefore claims 6-7 are patentable over the cited reference for at least the same reason.

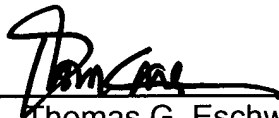
III. CONCLUSION

For at least the above reasons, the claims currently under consideration are believed to be in condition for allowance.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should any fees be due as a result of the filing of this response, the Commissioner is hereby authorized to charge the Deposit Account Number 20-0668, TI-36657.

Respectfully submitted,
ESCHWEILER & ASSOCIATES, LLC

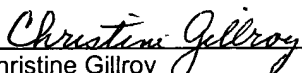
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CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: November 11, 2005


Christine Gillroy